



**Washington State Mental Health Counselors,
Marriage and Family Therapists, and
Social Workers
Advisory Committee
Meeting Minutes**

January 6, 2006

**Creekside Three at Center Point
Second Floor
20435 72nd Ave South
Kent, WA 98032**

Committee Members

Susan Bogni, Public Member, Chair; Lisa Erickson, LMHC, Vice-Chair; Carl Greenberg, MFT;
Alison Hadley, LICSW; Judy Roberts, LMHC

Staff

Bob Nicoloff, Executive Director; Sherry Wolverton, Program Representative;
Tammy Benson, Disciplinary Manager, Geoff Hymans, AAG Advisor

Agenda Topics

Open Session

1. *Call to Order* – The meeting was called to order by Susan Bogni, Public Member, Chair, at 9:00 am. The Washington State Mental Health Counselors, Marriage and Family Therapists and Social Workers Advisory Committee (Committee) members approved the meeting agenda as drafted. Lisa Erickson, LMHC, Vice Chair, moved that the meeting minutes for October 21, 2005 include the following statement regarding the proposed draft rules on clinical supervision: “Bob Nicoloff stated that the Committee may recommend to the Secretary whatever rule language it finds appropriate, and that the recommended language may be different than the Program Manager draft.” A motion to approve the minutes with this addition was passed. Ms. Bogni announced that the Department of Health (Department) had purchased a new audio recorder and that the Committee meeting was being recorded.
2. *Executive Director Report* – Bob Nicoloff, Executive Director, introduced Holly Rawnsley, who will assume the Program Manager position for the Committee professions as well as the Psychologist and Chemical Dependency Professional Programs on January 16, 2006.

Mr. Nicoloff distributed and discussed licensing and workload statistics for each profession. Currently, there are 2906 licensed Clinical Social Workers, 4171 licensed Mental Health Counselors, and 923 licensed Marriage and Family Therapists.

The budget reports for each program were distributed. The reports include expenditures and revenue through October, 2005. Alison Hadley, LICSW, Committee Member, asked if the reports reflected the fee reductions that were made in 2005, because the ending balances in the accounts still appear to be high. Mr. Nicoloff indicated that the budget reports did reflect the fee changes, and that the reductions were intentionally set at a level that would result in a reduction in the balance gradually over a long period of time.

A Health Professions Quality Assurance update memorandum dated January 3, 2006 from Bonnie King, Director, Health Professions Quality Assurance, was distributed and discussed. Weekly conference calls will be held with interested board and committee representatives each Tuesday morning during the legislative session. The purpose of the conference calls is to provide updates on proposed legislation that might impact the regulation all health professions, such as proposed changes to the Uniform Disciplinary Act. Ms. Bogni indicated that she would like to participate in the calls, but that it would be good to have backup representatives should she be unavailable on some dates. Ms. Hadley and Ms. Erickson agreed to be backup representatives for the conference calls.

An updated Committee roster and meeting calendar were distributed.

Mr. Nicoloff distributed a rules flowchart and provided an overview of the status of the rules currently in process. A hearing was held in December and with the submission of final rules development form, CR-103, new rules will be adopted on a number of important standards, including recordkeeping and retention (WAC 246-809-035), reporting of suspected abuse or neglect of a child, dependent adult, or a developmentally disabled person (WAC 246-809-040), sexual misconduct (WAC 246-809-049), and mandatory reporting (WAC 246-809-060), and several others. Completion of final drafts of the clinical supervision rules is the primary goal of today's agenda (agenda item 5). Upon completion, the drafts will be submitted to the Department policy offices for consideration and adoption. Related to these rules, a survey was distributed to a sample of approximately 1600 licensees in December to obtain information on the possible economic and systems impact of the proposed changes. Although the response rate was low, those who did respond provided valuable input and comments that will be of great assistance in completing the rules analysis.

3. *Disciplinary Activities Reports* – Tammy Benson, Disciplinary Manager, distributed the disciplinary statistics report and provided an overview of the current disciplinary activities. There are currently eleven open Marriage and Family Therapist cases, fifty four open Mental Health Counselor cases, and twenty six open Clinical Social Worker cases. Patient boundaries are focus of many of the cases. Alleged standard of care violations are also the subject of a number of cases. Carl Greenberg, LMFT, Committee Member, asked if it would be possible to track trends on specific violations alleged to provide the Committee with a perspective on rules that need to be worked on. Ms. Benson indicated that she would start to track these statistics over time as new cases are

completed because the findings in final orders are not always in the same violation categories that were evident at the time the case was opened.

Judy Roberts, LMHC, Committee Member, distributed and reviewed handout materials she had developed on the disciplinary process. The objective of the materials is to provide “user friendly” overview of the process for committee members, health providers, students, and others who may not be familiar with our state laws and procedures. Ms. Roberts reviewed the Uniform Disciplinary Act, the basic law which governs discipline for all health professions, categories of unprofessional conduct, examples of actionable behaviors seen in prior cases, the complaint form, typical categories of charges, types of sanctions, charging sequence of events and timelines, and the provider lookup search page on the Department’s webpage. Ms. Bogni asked if complainant anonymity can be maintained in the process. Ms. Benson responded that complainant identity usually cannot be protected because the complainant’s records are needed to investigate the case, and are usually requested from the respondent.

Ms. Roberts will continue to work on the materials and will report back to the Committee on her progress. Committee members indicated that they found the overview to be very helpful and thanked Ms. Roberts for her excellent presentation.

4. *Consumer Brochure Project Update* – Mr. Nicoloff reported that final approval of the content of the consumer brochure by the Department is expected soon, and he anticipates that he will be reporting approval at the next Committee meeting. Ms. Hadley indicated that it was important to check the citations on the draft brochure to ensure that they are current, as well as the website address for provider lookup. Mr. Nicoloff indicated that these would be double-checked as part of the final review process.
5. *Finalize Recommended Chapter 246-809 WAC Rules* - The committee members reviewed the draft clinical supervision and education requirement rules, working to finalize rules language to be recommended to the Department of Health.

The committee members first discussed the Marriage and Family Therapist rules drafts. The committee members reviewed the prior draft, comparing each topic with the Program Manager’s version. Based on the section by section review, the committee members concluded that their last draft was clearer and more accurate. Mr. Greenberg suggested several grammatical corrections and improvements to the draft and a motion was passed to send the draft rules forward with these changes.

The committee members next reviewed the Mental Health Counselor rules drafts. Based on the suggestions of Geoff Hymans, AAG Advisor, the definitions in the Committee’s draft were revised and simplified. Several sections of the Program Manager’s draft were also identified as preferable to the Committee’s draft. The committee members identified the sections to be included, and asked Ms. Erickson to work with Mr. Nicoloff to finalized the construction and numbering of the final draft to be sent forward to the Department. The committee members agreed that the final draft will be approved via conference call in the next two weeks.

The committee members then reviewed the Social Worker draft rules. The Committee worked to revise the structure of the draft to ensure clarity of definitions for both levels of Social Worker. Language was also combined from the Committee and Program Manager drafts to ensure consistency between the text and matrix sections of the rules. The final draft was approved by the Committee with the suggested changes.

6. *Committee Priorities, Future Agenda Building* – The Committee discussed goals and objectives to be accomplished in 2006. Mr. Nicoloff mentioned that the Secretary is working on a new sexual misconduct rule that will likely be applicable to all Secretary authority professions. This is an opportunity to achieve even stronger sexual misconduct and boundary standards for our professions. Mr. Nicoloff indicated that he would let the committee members know of the upcoming public meetings on the development of this rule, and looked forward to their input and participation.

The committee members identified following as possible priorities after the completion of the clinical supervision rules: curriculum revisions including cultural competency, program accreditation, improved disclosure statements, confidentiality, and records retention. The Committee agreed to begin discussions with the curriculum revisions at the next meeting.

7. *Adjournment* – The Committee meeting adjourned at 1:10 pm.

Submitted by:

Robert Nicoloff, Executive Director
Washington State Mental Health Counselors, Marriage and Family Therapists
and Social Worker Advisory Committee

Approved by:

Susan Bogni, Public Member, Chair
Washington State Mental Health Counselors, Marriage and Family Therapists
and Social Worker Advisory Committee